

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Darren Deshaun Gale**

**Docket No. 5:99-CR-161-1F**

**Petition for Action on Supervised Release**

COMES NOW Robert L. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Darren Deshaun Gale, who, upon an earlier plea of guilty to Assault with a Dangerous Weapon with Intent to Do Bodily Harm, in violation of 18 U.S.C. § 113(a)(3), and Possession and Discharge of a Weapon During a Crime of Violence, in violation of 18 U.S.C. § 924(c)(1)(A)(iii), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on March 20, 2000, to the custody of the Bureau of Prisons for a term of 131 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On April 17, 2000, the judgment was amended to include restitution in the amount of \$20,064.48.

Darren Deshaun Gale was released from custody on May 18, 2009, to the Southern District of Georgia, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

The probation officer in Savannah, Georgia, reports that the defendant has not been making regular monthly payments towards the restitution. However, the defendant is otherwise in compliance with supervision. The probation officer reports that all drug screens have been negative for controlled substances. The defendant lives with his wife and three children, one of which is autistic. He is employed through Goodwill Industries earning \$7.25 per hour. It is requested that the Court set monthly payments for restitution at \$50.

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The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

The defendant shall pay \$50.00 each month towards restitution.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301  
Phone: (910) 486-5703 ext. 229  
Executed On: January 5, 2011

**ORDER OF COURT**

Considered and ordered this 6<sup>th</sup> day of January, 2011 and ordered filed and made a part of the records in the above case.

  
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James C. Fox  
Senior U.S. District Judge